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**REPORT:**

**Concerning a Proposal to Establish Seven Fire and Emergency Response Service Districts Within the Tramway, Deep River, Cape Fear, Northview, Lemon Springs, Carolina Trace, and Northwest Pocket Rural Fire Protection Districts**

This report has been prepared by the Lee County Attorney's Office at the direction of the Lee County Board of Commissioners (hereinafter "Board") and is submitted to the Board's Clerk as required by North Carolina General Statute 130A-302(b). The clerk shall make it available for public inspection and copying during the Clerk's regular office hours of 8:00 a.m. to 5:00 p.m., Monday through Friday.

At its regular meeting on May 6, 2013, the Board adopted a resolution making findings concerning a proposal to establish seven fire and emergency response service districts within the territorial jurisdiction of the following districts: Tramway Rural Fire Protection District, Deep River Rural Fire Protection District, Cape Fear Rural Fire Protection District, Northview Rural Fire Protection District, Lemon Springs Rural Fire Protection District, Carolina Trace Rural Fire Protection District, and Northwest Pocket Rural Fire Protection District (hereinafter collectively known as the "Districts.") The resolution also directed County staff to take all actions necessary to allow the Board to make a final decision concerning whether to establish the service districts. The preparation and filing of this report is a prerequisite for the Board's further consideration of the proposal.

The Board's resolution was adopted in response to information and a recommendation from officers of the Fire Advisory Board, property owners, residents, and the Districts to have transferred by July 1, 2013 the responsibility of providing fire protection services from Rural Fire Protection Districts to Rural Fire Service Districts. Such transfer will place every parcel in Lee County within a rated fire protection class, thus improving their fire protection class ratings.

Prior to adopting the resolution, the Board received and considered information illustrating that the best procedure to place every parcel in Lee County within a rated fire protection class by the July 1, 2013 deadline is through the establishment of seven fire service districts which are roughly based on the existing fire protection districts but not necessarily coterminous with those district lines. Maps showing the boundaries of the seven proposed service districts are attached and incorporated by reference into this report.

As required by North Carolina General Statute § 153A-302(a), the Board considered information and evidence from the Fire Advisory Board and other persons and entities relevant to the question of whether the districts would meet the statutory standards required to establish the districts. Based upon that information and evidence, the Board of Commissioners made the following findings:

#### Tramway Service District

- (1) The proposed Tramway Fire Service District will consist of approximately 29.08 square miles with a resident population of approximately 6559 persons and a population density of approximately 226 persons per square mile.
- (2) The total tax base of all real and personal property, public utilities and motor vehicles in the proposed Tramway Service District is valued at approximately 443.27 million dollars. With respect to real property only, the proposed service district consists of approximately 3527 separate parcels with a 2013 assessed real property tax value of approximately 364.8 million dollars.
- (3) The present county tax rate paid by property owners in the proposed Tramway Fire Service District is 75 cents per \$100 of property valuation and the present additional special tax rate for fire protection services and emergency medical response provided through the Tramway RFP District is 7.9 cents per \$100 of property valuation.
- (4) The property owners in the proposed Service District have the ability to sustain additional special taxes, if any, which are necessary to have fire protection services and emergency medical response provided to the district.

#### Deep River Service District

- (1) The proposed Deep River Fire Service District will consist of approximately 41.24 square miles with a resident population of approximately 3236 persons and a population density of approximately 78 persons per square mile.
- (2) The total tax base of all real and personal property, public utilities and motor vehicles in the proposed Deep River Service District is valued at approximately 226.9 million dollars. With respect to real property only, the proposed service district consists of approximately 1924 separate parcels with a 2013 assessed real property tax value of approximately 174.2 million dollars.
- (3) The present county tax rate paid by property owners in the proposed Deep River Fire Service District is 75 cents per \$100 of property valuation and the present additional special tax rate for fire protection services and emergency medical response provided through the Deep River RFP District is 11.3 cents per \$100 of property valuation.
- (4) The property owners in the proposed Service District have the ability to sustain additional special taxes, if any, which are necessary to have fire protection services and emergency medical response provided to the district.

#### Cape Fear Service District

- (1) The proposed Cape Fear Fire Service District will consist of approximately 47.08 square miles with a resident population of approximately 5097 persons and a population density of approximately 108 persons per square mile.
- (2) The total tax base of all real and personal property, public utilities and motor vehicles in the proposed Cape Fear Service District is valued at approximately 326.9 million dollars. With respect to real property only, the proposed service district consists of

approximately 2992 separate parcels with a 2013 assessed real property tax value of approximately 256.4 million dollars.

- (3) The present county tax rate paid by property owners in the proposed Cape Fear Fire Service District is 75 cents per \$100 of property valuation and the present additional special tax rate for fire protection services and emergency medical response provided through the Cape Fear RFP District is 9.2 cents per \$100 of property valuation.
- (4) The property owners in the proposed Service District have the ability to sustain additional special taxes, if any, which are necessary to have fire protection services and emergency medical response provided to the district.

#### Northview Service District

- (1) The proposed Northview Fire Service District will consist of approximately 23.70 square miles with a resident population of approximately 2407 persons and a population density of approximately 102 persons per square mile.
- (2) The total tax base of all real and personal property, public utilities and motor vehicles in the proposed Northview Service District is valued at approximately 581.17 million dollars. With respect to real property only, the proposed service district consists of approximately 1611 separate parcels with a 2013 assessed real property tax value of approximately 293.4 million dollars.
- (3) The present county tax rate paid by property owners in the proposed Northview Fire Service District is 75 cents per \$100 of property valuation and the present additional special tax rate for fire protection services and emergency medical response provided through the Northview RFP District is 8.1 cents per \$100 of property valuation.
- (4) The property owners in the proposed Service District have the ability to sustain additional special taxes, if any, which are necessary to have fire protection services and emergency medical response provided to the district.

#### Lemon Springs Service District

- (1) The proposed Lemon Springs Fire Service District will consist of approximately 42.04 square miles with a resident population of approximately 6941 persons and a population density of approximately 165 persons per square mile.
- (2) The total tax base of all real and personal property, public utilities and motor vehicles in the proposed Lemon Springs Service District is valued at approximately 324.8 million dollars. With respect to real property only, the proposed service district consists of approximately 3627 separate parcels with a 2013 assessed real property tax value of approximately 250.8 million dollars.
- (3) The present county tax rate paid by property owners in the proposed Lemon Springs Fire Service District is 75 cents per \$100 of property valuation and the present additional special tax rate for fire protection services and emergency medical response provided through the Lemon Springs RFP District is 9.1 cents per \$100 of property valuation.
- (4) The property owners in the proposed Service District have the ability to sustain additional special taxes, if any, which are necessary to have fire protection services and emergency medical response provided to the district.

#### Carolina Trace Service District

- (1) The proposed Carolina Trace Fire Service District will consist of approximately 9.35 square miles with a resident population of approximately 4541 persons and a population density of 486 persons per square mile.
- (2) The total tax base of all real and personal property, public utilities and motor vehicles in the proposed Carolina Trace Service District is valued at approximately 414.9 million dollars. With respect to real property only, the proposed service district consists of approximately 3098 separate parcels with a 2013 assessed real property tax value of approximately 371.7 million dollars.
- (3) The present county tax rate paid by property owners in the proposed Carolina Trace Fire Service District is 75 cents per \$100 of property valuation and the present additional special tax rate for fire protection services and emergency medical response provided through the Carolina Trace RFP District is 7.5 cents per \$100 of property valuation.
- (4) The property owners in the proposed Service District have the ability to sustain additional special taxes, if any, which are necessary to have fire protection services and emergency medical response provided to the district.

#### Northwest Pocket Service District

- (1) The proposed Northwest Pocket Fire Service District will consist of approximately 39.61 square miles with a resident population of approximately 2641 persons and a population density of approximately 67 persons per square mile.
- (2) The total tax base of all real and personal property, public utilities and motor vehicles in the proposed Northwest Pocket Service District is valued at approximately 177.05 million dollars. With respect to real property only, the proposed service district consists of approximately 1833 separate parcels with a 2013 assessed real property tax value of approximately 151.75 million dollars.
- (3) The present county tax rate paid by property owners in the proposed Northwest Pocket Fire Service District is 75 cents per \$100 of property valuation and the present additional special tax rate for fire protection services and emergency medical response provided through the Northwest Pocket RFP District is 12.9 cents per \$100 of property valuation.
- (4) The property owners in the proposed Service District have the ability to sustain additional special taxes, if any, which are necessary to have fire protection services and emergency medical response provided to the district.


Based upon the above findings, the Board of Commissioners concluded each of the seven proposed service districts meets the statutory standards required to establish them.

The Board of Commissioners also determined there were acceptable plans for providing the specified services to the seven proposed districts. Specifically, officers of each of the Districts

has indicated availability and willingness to continue providing fire protection and emergency response services if the areas become service districts.

The Board of Commissioners will hold a public hearing on June 24, 2013 at 6:00 p.m. in the Commissioners' Room, Lee County Government Center, 106 Hillcrest Drive, Sanford, North Carolina to elicit public comments regarding this plan.

Respectfully submitted this 21<sup>st</sup> day of May, 2013.



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Garris Neil Yarborough  
Lee County Attorney